



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,791	08/19/2003	Anthony A. Gallo	3833-030392 (LDEO-108)	7402

7590 04/14/2006

Webb Ziesenheim Lodsdon
Orkin & Hanson, P.C.
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219-1818

EXAMINER

SELLERS, ROBERT E

ART UNIT	PAPER NUMBER
----------	--------------

1712

DATE MAILED: 04/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action
After the Filing of an Appeal Brief

Application No.

10/644,791

Examiner

Robert Sellers

Applicant(s)

GALLO ET AL.

Art Unit

1712

—The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The reply filed 07 April 2006 is acknowledged.

1. ☐ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

a. ☐ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).

b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief.
See 37 CFR 41.33(d)(2).

2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☒ The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. ☒ Other: Claims 1-15 and 25-27 are rejected. Claims 16-24 have been cancelled.

Art Unit: 1712

1. The translation of Japanese Patent No. 11-100492 filed April 7, 2006 does not discount the reasons for the rejections of claims 1-15 and 25-27 over Gallo Patent No. 6,432,540 and Japanese Patent Nos. 11-269347 and 10-212396 in view of Japanese '492 as well as Japanese '492 in view of Gallo and Japanese '347. The application of Japanese '492 as a secondary reference in the first mentioned rejection is the motivation for incorporating melamine cyanurate with the tungsten or molybdenum trioxide of Gallo and Japanese '347 and '396 in order to impart high temperature reliability and solder heat resistance along with fire retardance (page 9, paragraph 23). The presence of absence of the additional metal oxide fire retardant does not diminish the rationale.

2. Regarding the implementation of Japanese '492 as a primary reference, the use of metal oxide fire retardant disclosed on page 9, paragraph 22 is not confined to the exemplified nickel oxide. The evidence presented in Tables 1 and 3 on pages 14 and 16, respectively, concerning nickel oxide does not mitigate the reason for employing a particular metal oxide of Japanese '492 such as the tungsten trioxide of Gallo and Japanese '347 in order to improve the moisture resistance (Gallo, col. 1, lines 28-32 and col. 5, lines 49-51) and to optimize the balance between fire retardance and hardenability (Japanese '347, page 4, paragraph 11, lines 4-5).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Sellers whose telephone number is (571) 272-1093. The examiner can normally be reached on Monday to Friday from 9:30 to 6:00. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

rs
4/12/2006



ROBERT E.L. SELLERS
PRIMARY EXAMINER